

00- *R* -1808

Entered - 04/10/00 - sb  
CL00L0199 - DIANNE C. MITCHELL

CLAIM OF: **GEICO AS SUBROGEE OF CHANDRA CHAMPION**  
**One GEICO Center**  
**Macon, Georgia 31296-0001**

For damages alleged to have been sustained as a result of vehicular damage due to gravel having fallen from a City vehicle on July 26, 1999 at Interstate 75/85 and University Avenue.

BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **GEICO AS SUBROGEE OF CHANDRA CHAMPION** the sum of **\$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of vehicular damage due to gravel having fallen from a City vehicle on July 26, 1999 at Interstate 75/85 and University Avenue as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

**FAVORABLE REPORT**  
COM. *Public Safety*  
DATE *11/14/00*  
V. CHM. *[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

**APPROVED**  
NOV 29 2000  
WITHOUT SIGNATURE  
BY OPERATION OF LAW

ADOPTED BY  
NOV 20 2000  
COUNCIL

**CERTIFIED**  
NOV 20 2000  
ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

**CERTIFIED**  
NOV 20 2000  
CITY CLERK  
*[Signature]*

**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**00-R-1808**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **GEICO as subrogee of Chandra Champion** in the sum of **\$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **vehicular damage due to gravel having fallen from a City vehicle on July 26, 1999 at Interstate 75/85 and University Avenue** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403**

November 20, 2000

November 29, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0199

Date: November 1, 2000

Claimant /Victim GEICO AS SUBROGEE OF CHANDRA CHAMPION

BY: (Atty) (Ins.Co.) \_\_\_\_\_

Address: One GEICO Center, Macon, Georgia 31296-0001

Subrogation: X Claim for Property damage \$ 1,053.57 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 07/29/99 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 07/26/99 Place: Interstate 75/85 and University Avenue

Department Public Works Division: Street Operations

Employee involved Unknown Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant's vehicle was damage when gravel fell onto it from a City dump truck, causing damages in the above amount.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

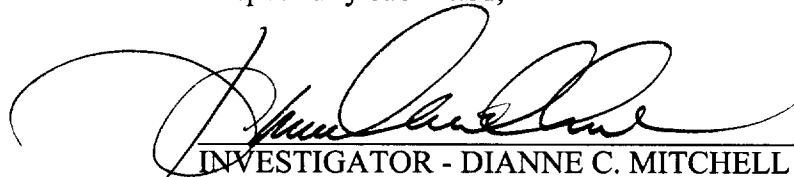
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,000.00 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 11-01-00

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_



1-800-841-3000

- Government Employees Insurance Company
- GEICO General Insurance Company
- GEICO Indemnity Company
- GEICO Casualty Company
- Criterion Insurance Agency, Inc.  
(Colonial County Mutual Ins.)

*Mitchell*  
*04/04/00*  
*D*

ONE GEICO CENTER  
MACON, GEORGIA 31296-0001

ENTERED - 4-10-00 - SB  
00LO199 - DIANNE MITCHELL

March 15, 2000

City Of Atlanta, Law Dept  
68 Mitchell Street SW  
Atlanta, GA 30335-3520

CLAIM NUMBER: 0131972480101015  
INSURED: Chandra Champion

LOSS DATE: 07/26/99

YOUR CLAIM NUMBER: 99L0435  
YOUR INSURED: City Of Atlanta

GEICO GENERAL AMOUNT: \$1,053.57  
PLUS INSURED'S DEDUCTIBLE: None

Dear Ms. Diane Mitchell:

We request that you please review this claim, approve it and forward prompt payment to us. The pertinent file material is enclosed. Please indicate our claim number on your check and make the check payable to GEICO GENERAL INSURANCE COMPANY as subrogee of Chandra Champion.

This letter will serve as notice of our payment recovery claim and constitutes a sincere effort to settle as required by conditions precedent to arbitration as stated by the Automobile and Property Subrogation Arbitration Agreement.

Very truly yours,

*Jan Wilder*

JAN WILDER

S803

PAYMENT RECOVERY UNIT 800-841-9160 x1178  
GEICO GENERAL INSURANCE COMPANY

35

PLEASE REFER TO OUR CLAIM NUMBER WHEN  
WRITING OR CALLING ABOUT THIS CLAIM

SL6

CLL14

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NO. 00L0199

\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND AND NO/100  
           DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged,  
I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City,  
its officers and employees, from any and all claims, demands, actions, causes of action, suits, damages, loss and  
expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly  
for or on account of vehicular damage due to gravel falling from a City vehicle


which occurred on or about the 26<sup>th</sup> day of July, 1999,

at or near Interstate 75 northbound at University Avenue.

It is further understood and agreed that the payment of the above named sum is not to be considered as an  
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the  
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,  
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,  
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

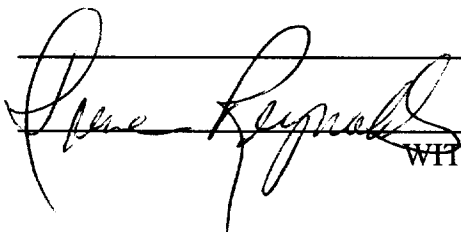
And I now state that the only consideration for my signing this release and indemnification is the payment  
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by  
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this  
instrument.

WITNESS my hand and seal this 25<sup>th</sup> day of October, 2000.

  
\_\_\_\_\_  
**GEICO AS SUBROGEE OF CHANDRA CHAMPION** (LS)

The above release was read and explained to, and signed by the said \_\_\_\_\_

\_\_\_\_\_ in our presence on the date above written.

  
\_\_\_\_\_  
WITNESSES

00- R -1808

Council President Pro Tem Starnes  
Presided

RCS# 2401  
11/20/00  
2:00 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-18

00-R-1849  
(Morris Voted NAY)

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
NV Bond	Y Morris	Y Maddox	NV Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA

00-O-1111  
00-R-1693  
00-R-1694  
00-R-1695  
00-R-1696  
00-R-1697  
00-R-1804  
00-R-1835

CONSENT

		11/20/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1690 2. 00-O-1691 3. 00-O-1692 4. 00-O-1845 5. 00-O-1864 6. 00-O-0728 7. 00-R-1702 8. 00-R-1703 9. 00-R-1705 10. 00-R-1707 11. 00-R-1850 12. 00-R-1865 13. 00-R-1851 14. 00-R-1873 15. 00-R-1622 16. 00-R-1623 17. 00-R-1699 18. 00-R-1775* 19. 00-R-1776* 20. 00-R-1777* 21. 00-R-1782 22. 00-R-1687 23. 00-R-1668 24. 00-R-1786 25. 00-R-1789 26. 00-R-1799 27. 00-R-1800 28. 00-R-1813 29. 00-R-1814	30. 00-R-1815 31. 00-R-1849# 32. 00-R-1858 33. 00-R-1862 34. 00-R-1787* 35. 00-R-1790 36. 00-R-1791 37. 00-R-1794 38. 00-R-1798 39. 00-R-1861 40. 00-R-1686 41. 00-R-1843 42. 00-R-1869 43. 00-R-1870 44. 00-R-0973 45. 00-R-0816 46. 00-R-1803 47. 00-R-1805 48. 00-R-1806 49. 00-R-1807 50. 00-R-1808 51. 00-R-1809 52. 00-R-1810 53. 00-R-1811 54. 00-R-1812	55. 00-R-1816 56. 00-R-1817 57. 00-R-1818 58. 00-R-1819 59. 00-R-1820 60. 00-R-1821 61. 00-R-1822 62. 00-R-1823 63. 00-R-1824 64. 00-R-1825 65. 00-R-1826 66. 00-R-1827 67. 00-R-1828 68. 00-R-1829 69. 00-R-1830 70. 00-R-1831 71. 00-R-1832 72. 00-R-1833 73. 00-R-1834 74. 00-R-1836 75. 00-R-1837 76. 00-R-1838 77. 00-R-1839 78. 00-R-1840 79. 00-R-1841 80. 00-R-1842  * President Pitts recused himself.  # Lee Morris not voting.